

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DOLORES E. JENNINGS, JR.,

Plaintiff,

vs.

MICHAEL J. ASTRUE,

Commissioner of Social Security,

Defendant.

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CIVIL NO. 09-1642

ORDER

AND NOW, this 31st day of January 2011, upon consideration of Plaintiff's request for review [doc. no. 5], Defendant's response thereto [doc. no. 8], United States Magistrate David Strawbridge's Report & Recommendation [doc. no. 9], Plaintiff's Objections thereto [doc. no. 10], Defendant's Response [doc. no. 11], and a review of the record in the above-captioned matter, and for the reasons set forth in the attached Memorandum Opinion, it is hereby

ORDERED that:

1. The Report and Recommendation is **ADOPTED** in part and **REJECTED** in part; and,
2. Plaintiff's Objections are **SUSTAINED**; and,
3. The decision of the Commissioner is **REVERSED**; and
4. Judgment is entered for the **PLAINTIFF**; and,
5. The matter is **REMANDED** to the Commissioner solely for the calculation of disability insurance benefits; and,
6. The Clerk of Court is **DIRECTED** to mark this case as **CLOSED**.

It is so **ORDERED**.

BY THE COURT:

/S/ Cynthia M. Rufe

HON. CYNTHIA M. RUFÉ